

E-filed on November 30, 2006

1 Marc A. Levinson (California Bar No. 57613)
 2 Lynn Trinka Ernce (California Bar No. 179212)
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP
 4 400 Capitol Mall, Suite 3000
 5 Sacramento, CA 95814-4497
 Telephone: (916) 447-9200
 Facsimile: (916) 329-4900
 Email: malevinson@orrick.com;
lernce@orrick.com

Bob L. Olson (Nevada Bar No. 3783)
 Anne M. Loraditch (Nevada Bar No. 8164)
 BECKLEY SINGLETON, CHTD.
 530 Las Vegas Boulevard South
 Las Vegas, NV 89101
 Telephone: (702) 385-3373
 Facsimile: (702) 385-5024
 Email: bolson@beckleylaw.com;
aloraditch@beckleylaw.com

6 *Attorneys for the Official Committee of Equity
 7 Security Holders of USA Capital Diversified Trust
 Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

10 In re:
 11 USA COMMERCIAL MORTGAGE COMPANY,
 12 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

13 In re:
 14 USA CAPITAL REALTY ADVISORS, LLC,
 15 Debtor.

Chapter 11

16 In re:
 17 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 18 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725-LBR

19 In re:
 20 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

**NOTICE OF HEARING OF OMNIBUS
 OBJECTION OF THE OFFICIAL
 COMMITTEE OF EQUITY SECURITY
 HOLDERS OF USA CAPITAL
 DIVERSIFIED TRUST DEED FUND,
 LLC TO CLAIMS ON EQUITY
 MISFILED AS CREDITOR CLAIMS
 BY HERMAN M. ADAMS, BRIAN M.
 ADAMS, ANTHONY G. ADAMS,
 MICHAEL L. AND DIANA M. GROSS,
 OLYMPIA CAPITAL MANAGEMENT,
 LARRY L. AND PATSY R. RIEGER,
 AND JACK M. DUNPHY**

21 Affects:
 22 All Debtors
 USA Commercial Mortgage Company
 USA Securities, LLC
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA First Trust Deed Fund, LLC

Date: January 3, 2007
 Time: 9:30 a.m.
 Courtroom: 1

1 **TO: HERMAN M. ADAMS**
2 **BRIAN M. ADAMS**
3 **ANTHONY G. ADAMS**
4 **MICHAEL L. AND DIANA M. GROSS**
5 **OLYMPIA CAPITAL MANAGEMENT**
6 **LARRY L. AND PATSY R. RIEGER**
7 **JACK M. DUNPHY**
8 **DEBTOR**
9 **ATTORNEYS FOR DEBTOR**
10 **U.S. TRUSTEE**
11 **ALL PARTIES IN INTEREST**

12
13 **NOTICE IS HEREBY GIVEN** that the Official Committee of Equity Security Holders
14 of USA Capital Diversified Trust Deed Fund, LLC (the “Diversified Committee”) filed its
15 Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital
16 Diversified Trust Deed Fund, LLC To Claims on Equity Misfiled as Creditor Claims (the
17 “Objection”). The Objection is based upon the grounds that the proofs of claim described on
18 Exhibit “1” attached hereto are claims on equity interests of debtor USA Capital Diversified
19 Trust Deed Fund, LLC (“Diversified Fund”) that have been erroneously filed as creditor claims
20 against Diversified Fund, and that Diversified Fund has no liability on account of such misfiled
21 claims. A copy of the Objection may be obtained at the bankruptcy court’s website at
22 <http://www.nvb.uscourts.gov/> or by contacting Beckley Singleton, Chtd. at (702) 385-3373.

23 Any Opposition must be filed pursuant to Local Rule 9014(d)(1).

24 Local Rule 9014(d)(1): “Oppositions to a motion must be filed and
25 service must be completed on the movant no later than fifteen (15) days
26 after the motion is served except as provided by LR 3007(b) and LR
27 9006. If the hearing has been set on less than fifteen (15) days’ notice,
28 the opposition must be filed no later than five (5) business days before
 the hearing, unless the court orders otherwise. The opposition must set
 forth all relevant facts and any relevant legal authority. An opposition
 must be supported by affidavits or declarations that conform to the
 provisions of subsection (c) of this rule.”

29
30 Please carefully review the Omnibus Objection included with this Notice, particularly
31 Exhibit 1 referenced above concerning your claim(s).

32 **IF ANY CREDITOR SHOULD DISAGREE WITH THE DTDF COMMITTEE’S**
33 **OBJECTION NOTED ABOVE, AND AS DISCUSSED IN THE OMNIBUS**

**OBJECTION, SUCH CREDITOR MUST FILE A RESPONSE TO THE OMNIBUS
OBJECTION AND SERVE IT UPON DTDF COMMITTEE'S COUNSEL NO LATER
THAN DECEMBER 26, 2006.**

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may *refuse to allow you to speak* at the scheduled hearing; and
 - The court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on the said Objection will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Blvd. South, Third Floor, Bankruptcy Courtroom No. 1, at Las Vegas, Nevada on January 3, 2007 at the hour of **9:30 a.m.**

Respectfully submitted this 30th day of November 2006.

BECKLEY SINGLETTON, CHTD.

By: /s/Anne Loraditch

Bob L. Olson (Nevada Bar No. 3783)
Anne M. Loraditch (Nevada Bar No. 8164)
530 Las Vegas Boulevard South
Las Vegas, NV 89101

Marc A. Levinson (California Bar No. 57613)
Lynn Trinka Ernce (California Bar No. 179212)
ORRICK, HERRINGTON & SUTCLIFFE LLP
400 Capitol Mall, Suite 3000
Sacramento, CA 95814-4497

*Attorneys for the Official Committee of Equity
Security Holders of USA Capital Diversified Trust
Deed Fund, LLC*

1
2 **EXHIBIT "1"**
3 **CLAIMS ON EQUITY**

Claim No.	Claimant	Claim Amount	Proposed Disposition
120-1	Herman M. Adams/Brian M. Adams/ Anthony G. Adams	\$3,625,000.00	Reclassify as proof of interest
121-1	Michael L. Gross and Diana M. Gross	\$96,094.65	Reclassify as proof of interest
122-1	Brian M. Adams	\$325,000.00	Reclassify as proof of interest
123-1	Olympia Capital Management	\$100,000.00	Reclassify as proof of interest
124-1	Larry L. & Patsy R. Rieger	\$194,337.91	Reclassify as proof of interest
133-1	Olympia Capital Management	\$100,000.00	Reclassify as proof of interest and duplicative of claim no. 23-2
137-1	Jack M. Dunphy	\$26,071.08	Reclassify as proof of interest